



2025:AHC:179814

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 8772 of 2025

Roshan

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vishveshwar Mani Tripathi
Counsel for Opposite Party(s)	:	Brijesh Kumar Mishra, G.A.

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Saman Tripathi, learned counsel for the applicant, Sri Alok Sharma, learned A.G.A. for the State and Sri Akhilesh Kumar, Advocate, holding brief of Sri Brijesh Kumar Mishra, learned counsel for informant and perused the record.
2. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No. 241 of 2024, under Sections 191(2), 115(2), 351(2), 109 of B.N.S., Police Station- Maeel, District Deoria.
3. Contention of learned counsel for the applicant is that for the incident in question the cross FIR has also been lodged by the applicant against the first informant. Applicant as well as two other co-accused have also been received injuries in the same incident. It is further submitted that both the sides suffered injuries and cross case has also been lodged against each other, therefore, it cannot be determined who were the aggressor. It is further submitted that co-accused Manoj Kumar, who has already been enlarged on bail by a co-ordinate Bench of this Court in Criminal Misc. Bail Application No.8661 of 2025 vide order dated 21.04.2025. Therefore, he is seeking parity of the order aforesaid. He also added that the applicant has no criminal history and he is languishing in jail since 15.01.2025. The charge sheet has already been submitted by the police, therefore, there is no requirement for custodial interrogation, therefore, he is entitled to be enlarged on bail. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.
4. Per contra, learned A.G.A. for the State opposed the prayer for bail but

could not dispute the aforesaid facts.

5. Thus, considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and co-accused Manoj Kumar, who has already been enlarged on bail by a co-ordinate Bench of this Court in Criminal Misc. Bail Application No.8661 of 2025 vide order dated 21.04.2025 and keeping in view the nature of offence, evidence, complicity of accused and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- **Roshan** involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.
- iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

8. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

October 8, 2025

Imtiyaz

(Arun Kumar Singh Deshwal,J.)